

Introduced by Senator Strickland

February 27, 2009

An act to amend Section 25501 of, to add Section 25227 to, and to repeal and add Section 25107 of, the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 551, as introduced, Strickland. Energy: State Energy Resources Conservation and Development Commission authority: transmission lines: certification: energy policy.

Existing law gives the State Energy Resources Conservation and Development Commission (Energy Commission) the exclusive power to certify thermal powerplants and electric transmission lines. A person proposing to construct a thermal powerplant or an electric transmission line is required to obtain a certificate from the Energy Commission. Existing law defines “electric transmission line” to be an electric powerline that carries electricity from a thermal powerplant located within the state to a point of junction with an interconnected transmission system. The findings of the Energy Commission in its certification process are binding on the Public Utilities Commission in the process for the issuance of a certificate of public convenience and necessity of the thermal powerplant and electric transmission lines. Existing law requires a person to obtain a certificate of public convenience and necessity from the Public Utilities Commission prior to the construction of an electric powerline rated at 50 kilovolts or above.

This bill would expand “electric transmission line” to include an electric powerline that carries electricity from any powerplant located in the state to a point of junction with an interconnected transmission

system, an electric powerline that is rated at 200 kilovolts or above, and an electric powerline that is rated between 50 kilovolts and 200 kilovolts that is needed to support the stability and reliability of the interconnected transmission line, thereby giving the Energy Commission the exclusive power to certify these electric powerlines. The bill would exempt from the certification requirement an electric transmission line for which an application for a certificate of public convenience and necessity has been submitted to the Public Utilities Commission before January 1, 2010. The bill would require the Energy Commission, in consultation with the Public Utilities Commission and other relevant agencies, to represent the state in all federal proceedings as the representative of the state's energy policy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25107 of the Public Resources Code is
2 repealed.

3 ~~25107. "Electric transmission line" means any electric~~
4 ~~powerline carrying electric power from a thermal powerplant~~
5 ~~located within the state to a point of junction with any~~
6 ~~interconnected transmission system. "Electric transmission line"~~
7 ~~does not include any replacement on the existing site of existing~~
8 ~~electric powerlines with electric powerlines equivalent to such~~
9 ~~existing electric powerlines or the placement of new or additional~~
10 ~~conductors, insulators, or accessories related to such electric~~
11 ~~powerlines on supporting structures in existence on the effective~~
12 ~~date of this division or certified pursuant to this division.~~

13 SEC. 2. Section 25107 is added to the Public Resources Code,
14 to read:

15 25107. (a) "Electric transmission line" means any of the
16 following:

17 (1) An electric powerline carrying electricity from a powerplant
18 located within the state to a point of junction with an interconnected
19 transmission line.

20 (2) An electric powerline that is rated at 200 kilovolts or above.

21 (3) An electric powerline that is rated between 50 kilovolts and
22 200 kilovolts that is needed to support the stability and reliability

1 of an interconnected transmission line as determined by the
2 commission.

3 (b) “Electric transmission line” does not include any replacement
4 on the existing site of an existing electric powerline with electric
5 powerlines equivalent to the existing electric powerlines or the
6 placement of new or additional conductors, insulators, or
7 accessories related to the electric powerlines on supporting
8 structures in existence on the effective date of this division or
9 certified pursuant to this division.

10 SEC. 3. Section 25227 is added to the Public Resources Code,
11 to read:

12 25227. The commission shall, in consultation with the Public
13 Utilities Commission and other relevant agencies, represent the
14 state in all federal proceedings as the representative of the state’s
15 energy policy.

16 SEC. 4. Section 25501 of the Public Resources Code is
17 amended to read:

18 25501. (a) This chapter does not apply to any site or related
19 facility for which the Public Utilities Commission has issued a
20 certificate of public convenience and necessity or ~~which~~ *that* any
21 municipal utility has approved before January 7, 1975.

22 (b) *This chapter does not apply to an electric transmission line*
23 *for which an application for a certificate of public convenience*
24 *and necessity has been submitted to the Public Utilities*
25 *Commission before January 1, 2010.*